

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

New Hampshire Youth Movement,  
*Plaintiff,*

v.

David M. Scanlan, in his official  
capacity as New Hampshire  
Secretary of State,

No. 1:24-cv-00291

*Defendant.*

**REPUBLICAN NATIONAL COMMITTEE'S AND NEW HAMPSHIRE  
REPUBLICAN STATE COMMITTEE'S PROPOSED ANSWER**

The Republican National Committee (“RNC” or “proposed intervenor”),  
and the New Hampshire Republican State Committee (“NHRSC” or  
“proposed intervenor”), pursuant to Fed. R. Civ. P. 24(c), answers the  
plaintiff’s complaint as follows:

**NATURE OF THE CASE**

1. The allegations contained in paragraph 1 of the Complaint  
consist of legal arguments for which no response is required.
2. The allegations contained in paragraph 2 of the Complaint are  
denied to the extent that HB 1569 is unnecessary and unconstitutional. To

the extent that the paragraph alleges statements made by government officials, proposed intervenors are without sufficient information to admit or deny. All other factual allegations are denied.

3. Proposed intervenors are without sufficient information to admit or deny the number of New Hampshire voters who have properly used affidavits to prove their identity. The remaining allegations contained in paragraph 3 of the Complaint are denied.

4. The factual allegations contained in paragraph 4 of the Complaint are denied. The remaining allegations consist of legal argument and conclusions of law to which no response is required.

5. The allegations contained in paragraph 5 of the Complaint are admitted to the extent that the General Court passed, and Governor Sununu signed, HB 1569. Proposed intervenors are without sufficient information to admit or deny the number of voters who have relief on the affidavit process in recent years and what the state knows or does not know from experience. The remaining allegations contained in paragraph 5 are denied.

6. The allegations contained in paragraph 6 of the Complaint are denied.

7. The allegations contained in paragraph 7 of the Complaint consist of legal arguments for which no response is required.

8. Proposed intervenors lack knowledge or information sufficient to form a response to the allegations concerning the plaintiff's plans or objectives.

### **JURISDICTION AND VENUE**

9. The allegations contained in paragraph 9 consist of legal arguments to which no response is required.

10. The allegations contained in paragraph 10 consist of legal arguments to which no response is required.

11. The allegations contained in paragraph 11 consist of legal arguments to which no response is required.

12. The allegations contained in paragraph 12 consist of legal arguments to which no response is required.

13. The allegations contained in paragraph 13 consist of legal arguments to which no response is required.

### **PARTIES**

14. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 14.

15. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 15.

16. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 16.

17. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 17.
18. The allegations contained in paragraph 18 are denied.
19. The allegations contained in paragraph 19 are denied.
20. The allegations contained in paragraph 20 consist of legal arguments to which no response is required.

#### **STATEMENT OF LAW AND FACTS**

21. The allegations contained in paragraph 21 are admitted.
22. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 22.
23. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 23.
24. The allegations contained in paragraph 24 consist of legal arguments to which no response is required.
25. The allegations contained in paragraph 25 consist of legal arguments to which no response is required.
26. The allegations contained in paragraph 26 consist of legal arguments to which no response is required.
27. The allegations contained in paragraph 27 consist of legal arguments to which no response is required.

28. The allegations contained in paragraph 28 consist of legal arguments to which no response is required.

29. The allegations contained in paragraph 29 consist of legal arguments to which no response is required.

30. The allegations contained in paragraph 30 consist of legal arguments to which no response is required. To the extent the allegations consist of statements other than legal arguments, those allegations are denied.

31. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 31.

32. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 32.

33. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 33.

34. The allegations contained in paragraph 34 consist of legal arguments to which no response is required.

35. Proposed intervenors admit that the Secretary of State's Election Procedure Manual contains the information identified in paragraph 35. Proposed intervenors are without sufficient information to either admit or deny the remaining allegations contained in paragraph 35.

36. The allegations contained in paragraph 36 consist of legal arguments to which no response is required.

37. Proposed intervenors admit that the Secretary of State's Election Procedure Manual contains the quotation identified in paragraph 37. Proposed intervenors are without sufficient information to either admit or deny the remaining allegations contained in paragraph 37.

38. The allegations contained in paragraph 38 consist of legal arguments to which no response is required. To the extent any response may be required, the allegations are denied.

39. The allegations contained in paragraph 39 consist of legal arguments to which no response is required. To the extent any response may be required, the allegations are denied.

40. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 40.

41. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 41.

42. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 42.

43. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 43.

44. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 44.

45. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 45.

46. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 46.

47. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 47.

48. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 48.

49. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 49.

50. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 50.

51. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 51.

52. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 52.

53. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 53.

54. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 54.

55. The allegations contained in paragraph 55 consist of legal arguments to which no response is required.

56. Proposed intervenors are without sufficient information to either admit or deny the allegations contained in paragraph 56.

57. The content of the statute referenced in paragraph 57 speaks for itself and requires no response.

58. The content of the statute referenced in paragraph 58 speaks for itself and requires no response.

59. The content of the statute referenced in paragraph 59 speaks for itself and requires no response.

60. The content of the statute referenced in paragraph 60 speaks for itself and requires no response.

61. Proposed intervenors admit that the Election Procedure Manual contains the statement attributed to it in paragraph 61. The remaining allegations contained in paragraph 61 consist of legal arguments that require no response.

62. The allegations contained in paragraph 62 are denied.

**CLAIMS FOR RELIEF**

63. Proposed intervenors restate and reallege their answers to paragraphs numbered one through sixty-two.

64. The allegations contained in paragraph 64 consist of legal arguments to which no response is required.

65. The allegations contained in paragraph 65 consist of legal arguments to which no response is required.

66. The allegations contained in paragraph 66 consist of legal arguments to which no response is required.

67. The allegations contained in paragraph 67 are denied.

68. The allegations contained in paragraph 68 are denied.

69. The allegations contained in paragraph 69 are denied.

**AFFIRMATIVE DEFENSES**

- A. The Plaintiff fails to state a claim upon which relief can be granted;
- B. The Plaintiff fails to allege that it has been or will be harmed by the challenged statute;
- C. Proposed intervenors reserve the right to enumerate additional affirmative defenses as they become apparent during the course of discovery.

Respectfully Submitted,

Republican National Committee,  
and New Hampshire Republican  
State Committee,

By their attorneys,

Lehmann Major List, PLLC

*/s/Richard J. Lehmann*

November 19, 2024

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**CERTIFICATION**

I hereby certify that a copy of this pleading was this day forwarded to opposing counsel via the court's electronic service system.

*/s/Richard J. Lehmann*

November 19, 2024

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Richard J. Lehmann